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*ATTORNEYS FOR AGTEXAS FARM CREDIT SERVICES,
AGTEXAS, PCA AND
THORLAKSON DIAMOND T FEEDERS, LP*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

IN RE:	§	
	§	
MCCLAIN FEED YARD, INC., et al.,¹	§	CASE NO. 23-20084-RLJ-7
	§	
	§	
Debtors	§	Jointly Administered¹

**AGTEXAS FARM CREDIT SERVICES, AG TEXAS PCA, AND
THORLAKSON DIAMOND T FEEDERS, LP'S RESPONSE IN OPPOSITION TO
MOTION TO TRANSFER VENUE**

TO THE HONORABLE ROBERT L. JONES, BANKRUPTCY JUDGE:

COMES NOW, AgTexas Farm Credit Services, AgTexas PCA ("AgTexas"), and Thorlakson Diamond T. Feeders, LP ("Thorlakson"), Creditors and parties in interest to the above-entitled Chapter 7 cases, and files this Response in Opposition to the Motion to Transfer Jointly Administered Cases [Docket No. 82] (the "Motion to Transfer"), and would respectfully show the Court as follows:

1. Thorlakson purchased thousands of cattle from McClain Feed Yard Inc. or 7M Cattle Feeders, Inc., during at least the one year period before the filing of these cases. These cattle were

¹ The Debtors in these chapter 7 cases are: McClain Feed Yard, Inc. (Case No. 23-20084-RLJ), McClain Farms, Inc. (Case No. 23-20085-RLJ), and 7M Cattle Feeders, Inc. (Case No. 23-20086-RLJ)

placed for feeding until they were ready for sale to a purchaser to place cattle in a finishing feedyard at one of the two locations operated by these Debtors in Texas. The cattle were held in these two locations in Texas for approximately 100 days before they were sold and delivered for placement in finishing feedyards.

2. All of the physical operations concerning these cattle after they were placed in the possession of the Debtor's occurred in Texas.

3. Following the news of the Debtor's financial difficulties, AgTexas and Thorlakson inspected the Debtors' locations in Texas, and found very few of their cattle.

4. AgTexas and Thorlakson have, through counsel, read the oppositions to the Motion to Transfer. Although the oppositions filed by the Trustee [Docket No. 95], by Rabo Agrifinance [Docket No. 90], and by the Debtors [Docket No. 88] refer to facts not in the possession of AgTexas or Thorlakson, the arguments made appear to be sound and are adopted by reference.

5. To the extent that records and witnesses are available, AgTexas and Thorlakson believe the majority of these records exist or reside in the State of Texas.

6. The Bankruptcy Court which has jurisdiction over these cases, and the Trustee to whom administration of these cases has been assigned, have substantial experience in cattle cases such as this one.

7. Transferring this case to Kentucky would cause unnecessary expense to AgTexas and Thorlakson, such as the cost to engage new counsel, or local counsel, plus travel expenses and similar expenses associated with additional counsel.

WHEREFORE, AgTexas and Thorlakson respectfully request that the Court deny the Motion to Transfer Venue.

DATED this 9th day of August, 2023.

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By: /s/ David L. LeBas
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CERTIFICATE OF SERVICE

I hereby certify that on August 9th, 2023, the foregoing document was filed with the Clerk of the Court in each of the foregoing Chapter 7 cases using the CM/ECF system, which sent notice of electronic filing to all electronic filing users in each case.

/s/ David L. LeBas
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